

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE:

CHAPTER 7

LADY FOREST FARMS, INC.

CASE NO. 11-01259-NPO

**MOTION OF TRUSTEE FOR APPROVAL TO SELL PROPERTY,
FREE AND CLEAR OF LIENS , PAYMENT OF REAL ESTATE
COMMISSION AND AUTHORIZATION TO DESTROY RECORDS**

COMES NOW, J. Stephen Smith, Trustee in the above named and numbered bankruptcy proceeding, and files this *Motion of Trustee for Approval to Sell Property, Free and Clear of Liens, Payment of Real Estate Commission and Authorization to Destroy Records*, and would show unto the Court the following, to-wit:

1. That Lady Forest Farms, Inc. (hereinafter referred to as "Debtor") filed a petition for relief under Chapter 11 of the United States Bankruptcy Code on April 5, 2011. This case was converted to a Chapter 7 Bankruptcy Proceeding by this Court's Order dated May 24, 2011 [Dkt. No. 89].

2. That the Trustee requests authority to sell the debtor's office building, located at 345 Highway 35 South, Forest, Mississippi, to the Scott County Board of Supervisors, for the amount of \$150,000.00. A true and correct copy of the legal description is attached hereto and incorporated herein as **Exhibit "A"**.

3. The Trustee has had a title search conducted and there are no liens on said property. All *ad valorem* taxes on said property are current.

4. That pursuant to the Order [Dkt. No. 469] dated December 30, 2014, Benny Taylor of Taylor Auction & Realty, Inc. is to receive a commission of ten percent (10%) of the sales proceeds, being \$15,000.00.

5. That the proceeds of said sale will be deposited in the account of the Bankruptcy Estate for distribution to creditors.

6. The Trustee requests authority to destroy all business records of Lady Forest that are located on the premises. That the Trustee has reviewed the documents and they will not assist in the administration of the Bankruptcy Estate and the cost for storage of the information will be a burden on the Bankruptcy Estate.

WHEREFORE, PREMISES CONSIDERED, J. Stephen Smith, Trustee, respectfully requests that this Court enter an Order authorizing him to sell property of the bankruptcy estate as described above, payment of realtor's commission in the amount of \$15,000.00, authorization to destroy the records, and for such other relief as is deemed just.

THIS the 9th day of February, 2015.

Respectfully submitted,

J STEPHEN SMITH
CHAPTER 7 TRUSTEE

By: [Signature]
EILEEN N. SHAFFER
Attorney for Trustee

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Jackson, Ms 39215-1177
(601) 969-3006
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CERTIFICATE OF SERVICE

I, Eileen N. Shaffer, Attorney for Trustee, do hereby certify that I have this date mailed, by United States Mail, postage prepaid, or electronically transmitted via CM/ECF Noticing, a true and correct copy of the above and foregoing *Motion for Approval to Sell Property Free and Clear of Liens, Payment of Real Estate Commission and Authorization to Destroy Records* to the following, on the day and year hereinafter set forth:

Benny Taylor
Taylor Auction & Realty, Inc.
P.O. Box 357
Grenada, MS 38902-0357

Scott County Board of Supervisors
P.O. Box 630
Forest, MS 39074

Roy Noble Lee, Jr., Esq.
Attorney for Scott County Board of Supervisors
P.O. Box 370
Forest, MS 39074


William G. Cheney, Jr., Esq.
MS Secretary of State's Office
P.O. Box 136
Jackson, MS 39205

Patrick F. McAllister, Esq.
Attorney for Community Bank
pmcallister@wmjlaw.com

Craig M. Geno, Esq.
Attorney for Debtor
cmgeno@cmgenolaw.com

United States Trustee
USTPRegion05.JA.ECF@usdoj.gov

SO CERTIFIED, this the 9th day of February, 2015.



EILEEN N. SHAFFER